

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
April 18, 2000

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:06 p.m., Tuesday, April 18, 2000, in the Board Room, York Hall, by Chairman Walter C. Zaremba.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Melanie L. Rapp.

Also in attendance were Daniel M. Stuck, County Administrator; and James E. Barnett, County Attorney.

Invocation. Mr. William Parker, Public Information Officer, gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Zaremba led the Pledge of Allegiance.

HIGHWAY MATTERS

Mr. Quintin Elliott, Resident Engineer, Virginia Department of Transportation (VDOT), informed the Board that VDOT was under a lot of scrutiny regarding environmental concerns and has been instructed to pay close attention to the protection of the environment and to obtain environmental permits before working in wetlands areas which has resulted in long delays. He stated the department or he personally could face criminal charges and jail time for violations.

Mr. Wiggins stated York County has major problems with drainage, and he reported receiving a call from an Edgehill citizen whose garage was on the verge of flooding during a recent storm. He stated several residents called the VDOT emergency number after locating the culvert, and VDOT's response was that it was an environmental problem and a permit was required before they could clean out the culvert. He asked how long it took to have a permit issued.

Mr. Elliott reiterated the trouble the department would face if it did not adhere to the environmental laws. He stated it could take quite a bit of time depending on what type of permit was needed. Mr. Elliott stated he understood the citizens' concerns, but again explained that VDOT was dealing with serious environmental issues.

Mr. Wiggins asked if there was anything the County could do to help VDOT obtain the necessary permits.

Mr. Elliott explained the process is to go through the appropriate State agencies and, if necessary, the Army Corps of Engineers. He stated the laws have changed over the past few years, getting more and more stringent, and a blanket permit was not an option for many of the requests as it had been in the past. He further explained that VDOT previously was able to work under a nationwide permit, but that flexibility had been taken.

Discussion followed concerning other areas in the County with serious drainage problems.

Mr. Burgett requested that VDOT take action to repair the potholes on Carraway Terrace, and he requested a copy of VDOT's paving schedule. He indicated a need for repaving on Brook Lane, Yorkshire Drive and Kitty Drive.

Mr. Elliott stated VDOT will be soon checking the streets to make sure the potholes are patched.

Mrs. Noll thanked Mr. Elliott for the installation of the new the library signs and asked that another one be installed at the intersection of Route 134 and Route 171.

Mr. Elliott replied that he would obtain a sketch of the proposed location for the sign from Mr. Carter.

Miss Rapp thanked VDOT for removal of the trash pile as she requested at an earlier meeting and for the fence installation at the entrance of Running Man. She again requested a paving schedule and asked about the Tinnette Lane status. She mentioned the \$200 additional speeding sign on Lakeland Crescent and signage that still needed to be moved closer to Meadowlake Farms. She reported potholes in the road at the intersection of Routes 171 and 17 and in the Running Man subdivision near Tuckahoe Trace.

Mr. Zaremba asked if all VDOT projects were affected by new rules regarding environmental permits.

Mr. Elliott stated the laws impact everything the department does, and he explained some of the environmental regulations have changed with respect to federal and state laws. He stated that VDOT was faced with a lot of challenges.

PRESENTATIONS

EMPLOYEE RECOGNITION PROGRAM.

Chairman Zaremba congratulated Thomas Ashe, Department of General Services, for having attained 20 years of service to the County, and presented him with a 20-year pin and certificate. Mr. Robert Kraus, Director of General Services, made a brief presentation including a video outlining some of the changes that have taken place in the County since Mr. Ashe's employment.

ZWEIBRUCKEN STUDENT EXCHANGE PROGRAM

Chairman Zaremba introduced and welcomed the following Zweibrucken Exchange Students to the County:

Nancy Schindler	Jeanette Fritz
Rebecca Lux	Danielle Klug
Julia Malter	Thomas Zwing
Inga Franzen	Katharina Rüppell
Melanie Schirmer	Melanie Knüpper

COMMENDATION OF FORMER MEMBERS OF THE BOARD OF SUPERVISORS

Vice Chairman Burgett read resolutions commending former Board members Jere M. Mills, James W. Funk and Albert R. Meadows in recognition of their service to the County, and Chairman Zaremba presented each of them with a bound and sealed copy. Mrs. Noll was also presented with a resolution of appreciation for her former service as Chairman of the Board of Supervisors as well as a plaque recognizing the occasion.

ANNUAL VOLUNTEER REPORT AND AWARDS

Mr. Rick Smethurst, Recreation Supervisor, presented the 1999 Annual Volunteer Report and a commemorative check to the Board of Supervisors which represented data on 1,596 volunteers who provided York County with 77,860 hours of services, at a total worth of \$1,287,195 in the real donation of goods and services. He also presented a video depicting interviews with some of the volunteers. After reading the awards, Mr. Smethurst introduced the following volunteers and/or organizations, and they were presented with engraved plates and certificates by Chairman Zaremba:

Auxiliary Deputy Sheriffs	Volunteer State-Certified Patrol Officers
Frank & Dawn Colandres	Volunteer Youth Soccer Coaches
Colonial Capital Kiwanis	Volunteer Readers for Head Start Children
Robert "Tommy" Hornsby, Jr.	Member of the Beautification Committee

Dick Ivy	Longtime service with the Historical Committee
Janet Keese	Dedicated Volunteer with the D.A.R.E. Program
John Parker	Longtime Radio Amateur Civil Emergency Services Volunteer
Laura Sieczynski	Volunteer Mosquito Monitor
Arland "Van" Vannatta	Volunteer Firefighter/EMT
Jane Winner	Volunteer Master Gardener

Meeting Recessed. At 8:12 p.m. Chairman Zaremba declared a short recess.

Meeting Reconvened. At 8:34 p.m. the meeting was reconvened in open session by order of the Chair.

PUBLIC HEARINGS

PINEY POINT SEWER PROJECT

Mr. Barnett briefing explained proposed Resolution R00-47 to declare the necessity to enter upon property owned by Ching Seng Fang and take certain easements in connection with the Piney Point sewer project.

Chairman Zaremba called to order a public hearing on proposed Resolution R00-47 that was duly advertised as required by law and is entitled:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON AND TAKE CERTAIN EASEMENTS IN CONNECTION WITH THE PINEY POINT SEWER PROJECT

Mr. C. S. Fang, 510-A Yorkville Road, stated he had no problem with the easement whatsoever and he didn't need the money for the easement. He stated the water lines are being placed 300 feet from the house, which means an additional \$8,000 to get water to the house. He indicated he would rather the County run the water line to his house and keep the money for the easement.

Mr. Brian Woodward explained the project was a vacuum sewer extension project in Piney Point and not a water extension project. He stated the house was situated approximately 1,000 feet off Yorkville Road, and the sanitary sewer was being brought to within 185' of the home which necessitated the easement. He stated the Fangs weren't interested in receiving money for the easement but wanted a waterline instead and it would \$8,000.

Mr. Wiggins mentioned the homeowner spoke of \$30,000 to run the sewer line by his house and stated he did not want sewer service. He asked if the sewer line was mandatory.

Mr. Woodward provided an area map to the Board showing the sewer project, and he explained the extension will serve several properties including a legally, non-conforming lot owned by Mr. Fang that is considered buildable. He felt it was actually four different lots that would be served by the extension at a cost of \$30,000.

Discussion followed concerning the necessity of the subject easement.

Mr. Stuck reported the average cost is anywhere from \$8,000-\$12,000 for a sewer line and felt that \$35,000 for four parcels was not unreasonable.

There being no one else present who wished to speak on the subject resolution, Chairman Zaremba closed the forum.

Mrs. Noll then moved the adoption of proposed Resolution R00-47 that reads:

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A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON
AND TAKE CERTAIN EASEMENTS IN CONNECTION WITH THE
PINEY POINT SEWER PROJECT

WHEREAS, it is necessary to obtain certain easements in connection with the Piney Point sewer project; and

WHEREAS, for various reasons the County is not able to obtain from the owners of such property clear title to the interests in real estate necessary, or no agreement has been reached as to the consideration to be paid for the said interest; and

WHEREAS, plats of the interests in real property to be acquired have been prepared by AES Consulting Engineers and appraisals of such interests have been prepared; and

WHEREAS, § 15.2-1905 E, Code of Virginia, authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for such purposes as constructing, installing, expanding, maintaining, or repairing pipelines, meter boxes, pumps, or any other appurtenances to a sewerage disposal and water system.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April, 2000, that the Board finds that it is necessary for the protection and preservation of the public health, safety and welfare, and for the timely completion of the Piney Point sewer project, for the County, its officers, employees and agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plats attached to the Report of the County Attorney dated March 15, 2000, and incorporated herein by this reference:

Tax Parcel 30C-1-5A

"Plat of Easement Conveyance From: Ching Seng Fang, et ux, To: The County of York, Virginia, Project: Piney Point Vacuum Sewer," as shown on the referenced plat dated December 3, 1999, prepared by AES Consulting Engineers, and designated as a "Permanent Utility Easement." Value: \$103.00.

Tax Parcel 30-140

"Plat of Easement Conveyance From: Ching Seng Fang, et ux, To: The County of York, Virginia, Project: Piney Point Vacuum Sewer," as shown on the referenced plat dated December 3, 1999, prepared by AES Consulting Engineers, and designated as a "Permanent Utility Easement." Value: \$602.00.

Total Value for both easements: \$705.00

BE IT STILL FURTHER RESOLVED that the Chairman of the Board of Supervisors, the County Treasurer, and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute certificates to be recorded in the Office of the Clerk of the Circuit Court for York County, certifying the amounts set forth above as the fair value, and damages, if any, of the interests to be taken, will be paid the owners in accordance with the provisions of State law and upon order of the Court.

BE IT STILL FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, and to do all things necessary as a prerequisite thereto

On roll call the vote was:

Yea: (5) Wiggins, Burgett, Rapp, Noll, Zaremba
Nay: (0)

APPLICATION NO. UP-555-00, KENNETH DALE MOORE

Mr. Stuck stated the applicant had requested that consideration of the application be deferred indefinitely, and the applicant would be responsible for paying the readvertising costs for a future public hearing.

Chairman Zaremba then called to order a public hearing on proposed Resolution R00-52 that was duly advertised as required by law. Proposed Resolution R00-52 is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO
AUTHORIZE THE ESTABLISHMENT OF A MINI-STORAGE
WAREHOUSE FACILITY ON 4.5 ACRES ALONG ROUTE 134

There being no one present who wished to speak concerning the subject ordinance, Chairman Zaremba closed the public hearing.

Chairman Zaremba then moved that the Board defer consideration of Application No. UP-555-00 indefinitely.

On roll call the vote was:

Yea: (5) Burgett, Rapp, Noll, Wiggins, Zaremba
Nay: (0)

APPLICATION NO. YVA-5-00, GARY FREEMAN

After a short video presentation depicting the subject property, Mr. Robert Baldwin, Chief Planner, made a presentation explaining the request for a use permit to authorize the establishment of an antique store and gift shop with accessory offices located at 114 Ballard Street. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Resolution R00-53.

Mr. Burgett asked if only the first story of the building was going to be used as a store.

Mr. Baldwin explained the first story would be opened to the public for retail use, and the second floor would be used for office space.

Mr. Burgett asked about handicapped accessibility.

Mr. Baldwin stated that was one of the conditions proposed, and the applicant was required to provide for handicapped accessibility into the building from the rear parking lot.

Chairman Zaremba called to order a public hearing on Application No. YVA-5-00 that was duly advertised as required by law. Proposed Resolution R00-53 is entitled:

A RESOLUTION TO APPROVE THE ESTABLISHMENT OF AN
ANTIQUA STORE AND GIFT SHOP WITH ACCESSORY OFFICES
LOCATED AT 114 BALLARD STREET IN THE YORKTOWN
VILLAGE ACTIVITY DISTRICT

Mr. Jerry Landgraff, 115 Chischiak Watch, whose property is adjacent to the subject property, appeared to represent the Chischiak Watch Homeowner's. He stated they were concerned with potential parking and traffic problems as well as possible rezoning of the property.

Mr. Zaremba questioned the size of the parking lot and how many cars could be served.

Mr. Baldwin indicated it was a small parking that would probably hold three or four cars. He explained that staff anticipated most would be pedestrian traffic as well as customers using the trolley system.

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Mr. Zaremba questioned the type of parking lot planned and its compatibility with the Americans with Disabilities Act.

Mr. Baldwin stated the applicant has been required to provide evidence of the type of materials proposed for use in an effort to meet the Board's conditions regarding handicap accessibility.

There being no one else present who wished to speak concerning the subject resolution, Chairman Zaremba closed the public hearing.

Mr. Burgett then moved the adoption of proposed Resolution R00-53 that reads:

A RESOLUTION TO APPROVE THE ESTABLISHMENT OF AN ANTIQUE
STORE AND GIFT SHOP WITH ACCESSORY OFFICES LOCATED AT 114
BALLARD STREET IN THE YORKTOWN VILLAGE ACTIVITY DISTRICT

WHEREAS, Gary A. Freeman has submitted Application No. YVA-5-00, which requests authorization pursuant to Section 24.1-327(b)(4) of the Zoning Ordinance to establish an antique store and gift shop and accessory offices at 114 Ballard Street (Route 1020) in the YVA-Yorktown Village Activity District. The parcel is further identified as Assessor's Parcel No. 18-(10)-B; and

WHEREAS, said application has been referred to the York County Planning Commission; and

WHEREAS, the Commission has recommended approval of this application; and

WHEREAS, the Board has carefully considered the public comments and the recommendations of the Commission and staff with respect to this application; and

WHEREAS, the Board has conducted a duly advertised public hearing in accordance with applicable procedure;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April, 2000, that Application No. YVA-5-00 be, and it is hereby, approved to authorize the establishment of an antique store and gift shop and accessory offices located at 114 Ballard Street (Route 1020), subject to the following conditions:

1. This use permit shall authorize the establishment of an antique store and gift shop and accessory offices located at 114 Ballard Street (Route 1020) that is further identified as Assessor's Parcel No. 18-(10)-B.
2. Prior to the establishment of the antique store and gift shop, the applicant shall submit, for approval by the Division of Development and Compliance Division, Department of Environmental and Development Services, a sketch plan depicting the limits of the gravel parking lot, the handicap facilities (including signage), and the walkways.
3. The retail establishment shall be developed and operated in accordance with the standards set forth in Section 24.1-327 of the Zoning Ordinance.
4. The parking lot shall be limited to a gravel or pervious surface as approved by the Zoning Administrator and shall be designed and constructed to accommodate handicap facilities.
5. Outdoor displays associated with the retail establishment shall not be permitted on the site.
6. The hours of operation shall be limited to between the hours of 8 a.m. and 8 p.m.

On roll call the vote was:

Yea: (5) Rapp, Noll, Wiggins, Burgett, Zaremba
Nay: (0)

CITIZENS COMMENT PERIOD

Mr. John Clair, 16 Burtis Street, Portsmouth, Virginia, thanked the Board for allowing him to speak on the future of New Quarter Park. He stated his group used the park two to three times a year in the past five years, and he requested that the Board continue to let the park be a reserved park as well as an open park. He also felt his group was a source of revenue for the County.

Ms. Drema Baker, 311 Sherwood Drive, Suffolk, Virginia, who represented PagaNet, Inc., stated she had reserved New Quarter Park for group events during the past five years, and her group brought in two to three hundred people each time. She pointed out that the people spend their tourist dollars in the area, and she felt the park was large enough for both a group reservation park and a public park.

Ms. Betsy Ashby, 331 Hatton Street, Portsmouth, Virginia, stated the County's web presence was weak except for the hits on New Quarter Park. She reported that New Quarter Park ranked second next to Newport News Park in Web presence, and she felt the County Web Site received a lot of attention because of New Quarter Park. She stated there were 17 major parks within a 20 mile radius of York County, and none were available for exclusive use by private groups.

Ms. Cynthia Edmunds, 616 Caren Drive, Virginia Beach, Virginia, second officer of the national religious organization known as the Covenant of the Goddess, requested the Board honor her reservation for New Quarter Park for August 9 - 14, 2000. She reported she had contacted the Parks and Recreation Division in July of 1998 and was assured the group would be able to use the park as long as her application was within the 6-month window. She recently learned the park was no longer open to groups, and she asked for reconsideration to allow her group to occupy the park.

Chairman Zaremba stated the Board would discuss and deliberate the citizens' comments and their applications and would provide a response to their requests as soon as possible.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett reminded the Board that the General Assembly would reconvene on April 19 to reconsider vetoed legislation. He discussed Senate Bill 148 that proposed eradication of the local E-911 tax. Senate Bill 414, the photo-monitoring bill, was passed in the House but was vetoed by the Governor. House Bill 513 required local governments that have a website to adopt an Internet Privacy Policy and privacy stigma and by January 1st. House Bills 200 and 220, which would have amended the Fair Labor Standards Act with respect to overtime pay requirements for law enforcement personnel, emergency medical technicians, and firefighters, were carried over. He discussed impact fees for local governments to impose on developers for roads and public facilities and last year's modification to the meals tax legislation. Senate Bill 198 stated no interest on tax refunds if the interest was \$10 or less or if it was on proration of personal property tax. House Bill 601 was passed which allows workers' compensation if an employee is a firefighter and comes down with ovarian or breast cancer. House Bill 261 was passed which created the local government attorney license plate, but House Bill 10 was also passed which indicated if 350 applications are not received within three years, the opportunity for the special license plates will disappear.

A brief discussion followed concerning surveillance signs on the highways.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. Stuck reported on a bill passed in the General Assembly and vetoed by the Governor that allows local governments to work together on joint development projects for economic development, and he explained the contribution of development funds. He reported on a piece of legislation that was vetoed which would study the standards of quality and the funding of education in Virginia. He addressed Mr. Elliott's comments concerning the need for environmental permits and the Governor's removal of the Commissioner of the Transportation Department who was investigated by the Attorney General's Office on criminal charges, resulting in the Department taking a conservative approach to obtaining environmental approval on every project. He suggested that the Board write to the County's legislators regarding the environmental permit issue. Mr. Stuck then discussed the work session schedule and the background briefing materials compiled for work and closed sessions. He introduced Mr. John Hudgins as the new Director of

Environmental & Development Services beginning May 8, 2000, and he announced that the post office had moved into its new building on Main Street. He reported that the Riverwalk paving would take place in late May due to the weather, and he explained the demolition work had been completed in the Finance Building, and renovation was underway. He stated staff would be seeking bids in the near future for the Environmental & Development Services addition, and the York Library renovation proposals were being finalized with construction to begin in late summer or early fall. He also addressed funding for New Quarter Park.

MATTERS PRESENTED BY THE BOARD

Mr. Wiggins expressed his disappointment regarding Mr. Elliott's comments regarding the necessity for environmental permits before VDOT can do emergency ditch and culvert work. He informed the Board he and Mr. Jack Sharkey of Edgehill would provide the Board with a presentation at the next Regular Meeting showing the extreme drainage problems in the County.

Mrs. Noll spoke regarding the King William Reservoir project, and she urged the citizens to become informed on this very complex problem. She encouraged the citizens to visit the reservoir's website and provided the Website address.

Miss Rapp stated she enjoyed the volunteer picnic and thanked Mrs. Anne Smith and Ms. Cheryl Sonderman with the Department of Community Services. She indicated the Zweibrucken reception was very enjoyable. She mentioned meeting with the Woodlake Homeowners Association. She also reported talking to Mr. Elliott on the cut in VDOT's budget, and she urged citizens to speak to their legislators in an effort to earmark some of the road funds for drainage.

Mr. Burgett stated he and his wife enjoyed the volunteer appreciation picnic. He also visited the Head Start Program open house and was impressed with the scope of the program.

Chairman Zaremba spoke on issues brought up by Board members that continued to remain open, and he expressed his concern on keeping track of those issues. Although a book with information on the concerns and issues was presented by staff, he felt the information contained in the book should be condensed into one page for each concern/issue. He felt he was not able to spend a lot of time reading the book, and he was looking for something much more condensed and not so voluminous. He applauded staff for putting it together, but he stated he was not going to read it.

Mrs. Noll noted she had just asked the citizens to make informed decisions, and she felt an informed decision would come from reviewing the background material prepared by staff in order to have some in-depth knowledge of the issues.

Miss Rapp explained she read everything she received and planned on reading the book in depth. She stated if she had questions, she called Mr. Stuck who directed her to the appropriate staff person to talk to in an effort to have her questions answered before the work sessions.

CONSENT CALENDAR

Mr. Burgett asked that Item No. 9 be removed from the Consent Calendar.

Mrs. Noll then moved that the Consent Calendar be approved as amended, Item Nos. 4, 5, 6, 7, and 8, respectively.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Burgett, Rapp, Zaremba
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 4. APPROVAL OF MINUTES

The following meetings of the York County Board of Supervisors were approved:

March 8, 2000, Adjourned Meeting
March 13, 2000, Adjourned Meeting
March 14, 2000, Adjourned Meeting

Item No. 5. OUTSTANDING YOUTH AWARDS: Resolutions R00-56, R00-57, R00-58 and R00-59

Resolution R00-56:

A RESOLUTION TO COMMEND AND CONGRATULATE KRYSTAL
PAEZ ON HER SELECTION AS THE 2000 YORK COUNTY
OUTSTANDING YOUTH OF THE YEAR FOR COMPASSION

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Krystal Paez was nominated and has been chosen by the Selection Committee to receive the 2000 Outstanding Youth of the Year Award for Compassion; and

WHEREAS, Krystal Paez typifies compassion in its truest sense, and is widely respected for her caring and sensitive nature that constantly demonstrates itself in reaching out to others; and

WHEREAS, Krystal is an exceptional athlete, competing on the Varsity level at Grafton High School in basketball, volleyball, and soccer, the latter in which she has served as captain of the team and been named as an All-District selection; and

WHEREAS, Krystal's accomplishments are demonstrated in other areas as well, such as by her solid "B" academic average, and by her involvement in a wide variety of extra-curricular activities including participation in the Fellowship of Christian Athletes, the Key Club, the Future Business Leaders of America, Students Against Drunk Driving, the Grafton High Student Government Association where she serves as a class representative, and in her position as Secretary of the Senior Class; and

WHEREAS, Krystal is anything but self-centered, not allowing her considerable talent, busy schedule, and personal goals to cause her to lose sight of others, but rather using her God given gifts and many pursuits as vehicles by which to express her genuine compassion for all; and

WHEREAS, this compassion is widely observed in school where Krystal is described by one teacher as being very concerned about others, someone who goes out of her way to include people in conversations, someone who will take the time to draw out others' opinions during group deliberations so that everyone's voice is heard, and as someone who will routinely take on tasks and responsibilities whenever no one else volunteers for them; and

WHEREAS, another teacher relates how Krystal can often be seen helping students in class, never satisfied once she comes to understand new material but going on to help others grasp it as well; and

WHEREAS, this teacher also describes how Krystal's positive attitude is infectious, that others just can't help but being happy around her, and that giving to and caring about others defines the very essence of who she is; and

WHEREAS, Krystal's sensitivity and compassion have also touched the community as demonstrated by her willingness to share her success and abilities with those less fortunate than herself; and

WHEREAS, this quality has been most evident in her participation over the past four summers working with the County's Special Recreation Summer Camp for children with special needs; and

WHEREAS, she lovingly volunteered her time at this camp for two years before she was sixteen, was employed as a teacher's aide the third year, and then returned as a part-time vol-

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unteer last year when other commitments would not permit her to work at the camp full-time; and

WHEREAS, the special place that these children have in her heart is reflected in her reason for wanting to come back to volunteer again after having been paid the previous year, which according to Krystal was simply that she wanted to be with these children again, and that being at the camp always felt good knowing that you were able to help "make their days happier ones;" and

WHEREAS, the camp director affirms that Krystal has been a tremendous asset to this program and that it is especially touching to see a teen like Krystal donating her time on behalf of these children for the "sole purpose of helping to put a smile on a face;" and

WHEREAS, Krystal's character is summed up by her nominator and soccer coach who asserts that she "is a unique young lady...outstanding in the classroom and on the athletic field, yet concerned about those who will never have the opportunities she and most students enjoy;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April, 2000, that Krystal Paez be, and she is hereby, commended and congratulated for being selected as York County's 2000 Outstanding Youth of the Year for Compassion.

BE IT FURTHER RESOLVED that Krystal be extended the best wishes of the Board of Supervisors as she continues to live a life of exemplary love and concern for others, and may she take great encouragement in knowing that our community is a better place because she is with us.

Resolution R00-57:

A RESOLUTION TO COMMEND AND CONGRATULATE CHRISTI RAWLS ON HER SELECTION AS THE 2000 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COMMUNITY SERVICE

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Christi Rawls was nominated and has been chosen by the Selection Committee to receive the 2000 Outstanding Youth of the Year Award for Community Service; and

WHEREAS, Christi Rawls has demonstrated exemplary service to others, reaching beyond herself to touch the lives of people in her school, church, and community; and

WHEREAS, Christi's service at York High School is evidenced by her participation in the band where she plays clarinet and has also served as Field Commander; and

WHEREAS, Christi also serves as York High's student director for both the one-act play competition and the school's annual spring musical, selflessly devoting hours and hours of her time to these volunteer responsibilities; and

WHEREAS, Christi's commitment goes beyond her considerable efforts to insure that these productions excel from a theatrical standpoint, and extends to the overall presentation and care for the well-being of the many students working as actors and as support personnel behind-the-scenes; and

WHEREAS, she always demonstrates a sincere concern and takes pains to insure that every student involved with the production finds his or her role to be fulfilling; and

WHEREAS, she routinely shuns receiving personal credit for these productions desiring that others be recognized instead, a quality so rare that it prompted her school principal to write, "Her heart reaches out to others even if it means less for her;" and

WHEREAS, Christi's exemplary service to her school and commitment to her fellow stu-

dents was recently recognized when she was named York High's recipient of the York County School Division's Student Service Award; and

WHEREAS, Christi's service to her church family is shown by her involvement with the church orchestra which was begun over three years ago and in which she played a key role from the very start by recruiting other students to play; and

WHEREAS, she has also been observed by Church staff as someone genuinely concerned about others and as one who demonstrates the depth of her friendship by listening to her peers and encouraging them however she can; and

WHEREAS, Christi's commitment to community service grew from the example of her grandmother who began to take Christi with her to volunteer at the Watermen's Museum Gift Shop; and

WHEREAS, for the past three years Christi has been a tremendous asset as a volunteer summer Sales Assistant and special events worker for this well-known local non-profit organization, and is described by her supervisor as a "people person" who is not "caught up with herself...a giving person who is there for everybody," a description that is evidenced by Christi's outgoing personality, warm manner with others, and by her frequently going out of her way to help carry packages for older customers; and

WHEREAS, Christi has also been very active in the Peninsula Chapter of the American Diabetes Association, volunteering many hours of her time assisting in their projects; and

WHEREAS, Christi's aunt and uncle became her legal guardians when she lost her mother at the age of four, and through her close-knit family life she developed the values and desire to serve others that have become the cornerstone for her life; and

WHEREAS, Christi's example in school, in church, and in our community at large inspires her fellow citizens to greater service as she consistently expends time, energy, and God given abilities to serve others rather than herself;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April, 2000, that Christi Rawls be, and she is hereby, commended and congratulated for being selected as York County's 2000 Outstanding Youth of the Year for Community Service.

BE IT FURTHER RESOLVED that Christi be extended the heartfelt appreciation of the Board of Supervisors for her giving spirit and commitment to community service as well as the Board's best wishes for a continued meaningful and rewarding life of service to others.

Resolution R00-58:

A RESOLUTION TO COMMEND AND CONGRATULATE BRANDON
RANDALL ON HIS SELECTION AS THE 2000 YORK COUNTY
OUTSTANDING YOUTH OF THE YEAR FOR OVERALL
ACHIEVEMENT

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Brandon Randall received *two* nominations and has been chosen by the Selection Committee to receive the 2000 Outstanding Youth of the Year Award for Overall Achievement; and

WHEREAS, Brandon Randall epitomizes achievement with his outstanding accomplishments and participation in a wide variety of endeavors; and

WHEREAS, Brandon excels at using his considerable talents to the utmost, and is engaged in a variety of activities that all testify to his superior performance; and

WHEREAS, Brandon's *academic* achievements are demonstrated by his advanced course work, 4.19 grade point average, and standing as the third highest ranked student in his senior class at Bruton High School, by being named a Delegate to Boys State last year, by his membership in the National Junior Honor Society during his freshman and sophomore years and by his induction into the National Honor Society during his junior year, by his three year membership in Technology Students of America in which he served as president during his sophomore year, by his four year membership in CHROME, an organization for minority students interested in science and mathematics in which he served as president last year, by being named Bruton's Mechanical Drawing Student of the Year as a sophomore, by winning a Dartmouth Book Award recognizing outstanding juniors who excel in both scholarship and leadership, and by being named Bruton's Senior of the Month this March; and

WHEREAS, Brandon's considerable *athletic* achievements are also exceptionally noteworthy, as demonstrated by his four year participation as a member of the Varsity Golf Team on which he was named Most Valuable Player all four years, Captain for the past two seasons, a 2nd Team All-District selection as a freshman as well as a 1st Team All-District honoree for the past three years, by his participation in Varsity Track and Field during his sophomore year where he received the Coach's Award for Best Attitude, and by his outstanding play in basketball, where he captained the junior varsity team as a freshman, started for the varsity as a sophomore and won honorable mention All-District recognition, was named Captain the past two seasons during which he was named 1st Team All-District, as well as Honorable Mention All-Region last year and 2nd Team All-Region and 2nd Team All-State this year, and, most importantly, helped lead Bruton to two consecutive undefeated regular seasons in district competition, and this year's State AA Championship, the first ever State Boy's Basketball title for a York County school, where he scored 25 points and had 12 rebounds in the championship game, and set a new state record for free throw attempts in a title game; and

WHEREAS, Brandon's service achievements include his participation as a donor for the Red Cross Blood Drive, and a wide variety of service work associated with his church, including weekly participation and frequent travel engagements singing with New Zion Baptist Church's "New Generation" Youth Choir, long-time involvement with the Sunday School program including setting up and cleaning classrooms as well as occasional teaching, and helping to plan and organize an annual community youth carnival; and

WHEREAS, in addition to all of these exemplary achievements and time consuming pursuits Brandon has somehow managed to find enough "spare time" to participate as a member of the Fellowship of Christian Athletes and Bruton's First Priority Club, play in the Boo Williams Summer League AAU basketball program, and work part-time as much as his demanding schedule will allow, first as a summer baseball umpire for the Williamsburg Youth League after his first three years in high school, and most recently as a Sales Associate with Polo Ralph Lauren during summers and holidays for the past two years; and

WHEREAS, Brandon's many friends, school teachers, school administrative staff, athletic coaches, employer, pastor and church family all proclaim that shining far beyond this young man's impressive scholastic and academic achievements are his inner character and maturity beyond his years, his deep faith in God and sincere humility, his leadership and genuine concern and respect for others...ALL others, no matter what their age, race, or background; and

WHEREAS, these individuals have observed his warm smile and kind disposition, constantly going out of his way to encourage teammates and classmates alike, addressing several thousand basketball spectators and athletes on sportsmanship before both the State Semifinal and Championship games, consistently "walking the talk" by displaying respect for those he competes against, becoming a human magnet for the many young children who look up to him and know he always has time to play with them, taking the time to sit down and visit with his church's 94 year old great grandmother, befriending people with diverse backgrounds wherever he goes, allowing his height or status as an athlete to become an opening topic of conversation simply so he can use them as bridge builders in getting to know and oftentimes lend help to others; and

WHEREAS, he genuinely credits any success he has achieved to being blessed with loving, wonderful parents and gifts from God that have made him the person that he is;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April, 2000, that Brandon Randall be, and he is hereby, commended and congratu-

lated for being selected as York County's 2000 Outstanding Youth of the Year for Overall Achievement.

BE IT FURTHER RESOLVED that Brandon be extended the sincere appreciation of the Board of Supervisors for his outstanding example as a student athlete and invaluable role model to the youth of our community, and that the Board's best wishes go with him as he seeks to become all he was intended to be so that he may continue to serve and so profoundly influence others.

Resolution R00-59:

A RESOLUTION TO COMMEND AND CONGRATULATE MADISON
MCDANIEL ON HIS SELECTION AS THE 2000 YORK COUNTY
OUTSTANDING YOUTH OF THE YEAR FOR COURAGE

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Madison McDaniel received what is believed to be an unprecedented *three* nominations and has been chosen by the Selection Committee to receive the 2000 Outstanding Youth of the Year Award for Courage; and

WHEREAS, Madison McDaniel exemplifies the meaning of the word courage, having undergone three abdominal surgeries as a sixth grader before being diagnosed with a rare form of cancer; and

WHEREAS, during the past three years this cancer spread to his brain and metastasized, requiring three craniotomies to remove two brain tumors; and

WHEREAS, these surgeries have impaired Madison in various ways, causing him to face numerous obstacles in both his personal life and school experience; and

WHEREAS, completing his schoolwork is a major task as he experiences difficulty with memory, motor skills, movement of the right side of his body, and loss of vision in the right halves of both eyes; and

WHEREAS, he continues to undergo extensive speech, occupational, and physical therapy sessions, as well as an exhaustive battery of medical tests every two to three months; and

WHEREAS, Madison routinely meets these challenges with determination and optimism, even though he must work much harder than others to attain success; and

WHEREAS, Madison awakens early each day to begin the strenuous routines and therapy required for him to accomplish his admirable goals; and

WHEREAS, because of his desire to remain in the honors program he diligently keeps up with his academic responsibilities, receiving homebound instruction and then gradually adding classes at Tabb High School; and

WHEREAS, he daily exhibits the courage of learning to be patient with himself, rising above the frustration of sometimes not being able to verbalize an answer as quickly as he would like; and

WHEREAS, it takes courage for a young man who is naturally right-handed to start all over learning to write with his left hand in order to complete his schoolwork; and

WHEREAS, it takes fortitude for a former all-star baseball player to be forced to give up the sport he loves and so excelled at and to learn to accept a change in his gait; and

WHEREAS, it takes resourcefulness for an accomplished young saxophonist to continue in the band by playing percussion instruments in order to use only one hand; and

WHEREAS, it takes great commitment, perseverance, and determination for Madison to maintain his outstanding 4.0 grade point average; and

WHEREAS, this young man pursues his goals and daily routine undaunted by the challenges he faces, seldom complaining about anything; and

WHEREAS, Madison possesses a cheerful disposition, a wonderful sense of humor, the ability to laugh at his mistakes, and a genuine interest in everyone and everything; and

WHEREAS, Madison is very well liked and accepted as just "one of the guys" by his peers at Tabb High, causing one teacher to remark, "In school he's just Madison, the smart kid who's fun to be around;" and

WHEREAS, Madison's influence has reached beyond his teachers and classmates to the entire community, as he was chosen to light the Dare Community Christmas Tree this past December after several residents heartily recommended his selection for this honor; and

WHEREAS, he has also been a tremendous inspiration to those families and friends attending Providence United Methodist Church, where he recently advised his pastor that he would encourage anyone facing cancer "to never give up;" and

WHEREAS, this amazing 14-year old is a shining example of his own advice, displaying an indomitable spirit throughout his courageous fight with cancer, refusing to allow the pain, fear, difficulties or impairments to crush his spirit or cause him to sink into paralyzing despair and self-pity; and

WHEREAS, on top of all his noted achievements at school and in our community, his greatest admirers and supporters are his beloved parents and older brother; and

WHEREAS, his highest accolade comes from his own dad who sums up the feelings of all those privileged to know or learn about this remarkable young man by declaring, "Madison is my hero;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April, 2000, that Madison McDaniel be, and he is hereby, congratulated and commended by the York County Board of Supervisors as York County's 2000 Outstanding Youth of the Year for Courage.

BE IT FURTHER RESOLVED, that Madison McDaniel be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Courage, that he be extended the sincere admiration and appreciation of the Board of Supervisors for his tremendous inspiration and example to us all, and that the Board's prayers and best wishes go with him and his family for a most rewarding and blessed life, and a future filled with continued triumph.

Item No. 6. COMMENDATION OF RETIRED EMPLOYEE: Resolution No. R00-61

A RESOLUTION TO COMMEND KENNETH R. OWENS, CAPTAIN
(RETIRED), FOR THE SERVICES RENDERED TO THE CITIZENS
AND VISITORS OF YORK COUNTY

WHEREAS, Kenneth R. Owens began employment with the County of York on November 1, 1973, as a career firefighter; and

WHEREAS, he previously served the County as an active volunteer firefighter since January 2, 1968; and

WHEREAS, he progressed through the ranks to Captain/Station Commander on November 26, 1985; and

WHEREAS, Captain Owens most recently served for a number of years as the Station Commander at Fire Station One in Grafton on "B" Shift, and was loved and respected by the men and women who worked along with him; and

WHEREAS, he also served for several years as the officer responsible for the department's street and hydrant mapping program; and

WHEREAS, throughout his career, he served the citizens and visitors of York County with distinction and honor, routinely contributing to their safety and prosperity, and upholding the high ideals and standards of the American fire service; and

WHEREAS, Captain Owens received a special citation in 1995 for bravery and heroism in saving the lives of others while risking his own life; and

WHEREAS, Captain Owens retired on January 1, 2000;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April, 2000, that Kenneth R. Owens be, and he is hereby commended for his professionalism and devotion to duty in serving the County of York for 32 years.

BE IT FURTHER RESOLVED that the appreciation of the citizens of York County is hereby extended to Kenneth R. Owens for his service, and the heartfelt best wishes of this Board are extended to him and his family for a well-deserved abundance of happiness and continued success in their future endeavors.

Item No. 7. ADDITIONAL STATE FUNDING FOR THE COMMONWEALTH'S ATTORNEY'S OFFICE: Resolution No. R00-41.

A RESOLUTION TO APPROPRIATE ADDITIONAL FUNDING FROM THE STATE COMPENSATION BOARD FOR THE PURPOSE OF PURCHASING EQUIPMENT FOR THE COMMONWEALTH'S ATTORNEY'S OFFICE

WHEREAS, the State Compensation Board has allocated an additional \$9,749 of funding for equipment for the Commonwealth's Attorney's office; and

WHEREAS, the Commonwealth's Attorney has proposed to use the funding to upgrade computer equipment to implement a computerized case management system.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April, 2000, that the \$9,749 be, and hereby is, appropriated in the General Fund for the purchase of equipment for the Commonwealth's Attorney's Office.

Item No. 8. SPEED LIMIT PROVISIONS: Resolution R00-55.

A RESOLUTION TO REQUEST THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION INSTALL APPROPRIATE SIGNS, AS STIPULATED IN SECTION 46.2-878.2 OF THE CODE OF VIRGINIA, TO ESTABLISH INCREASED PENALTIES FOR SPEEDING ON BRANDYWINE DRIVE, BRIGADE DRIVE, COLONIAL AVENUE, DODGE DRIVE, EDALE AVENUE, FIELDING LEWIS DRIVE, NELSON DRIVE, WEST SEMPLE ROAD, AND WHISPERING PINE ROAD

WHEREAS, Section 46.2-878.2 of the Code of Virginia authorizes the posting of certain residential streets for an increased fine of \$200, in addition to other penalties prescribed by law, for vehicles exceeding the maximum established speed limit; and

WHEREAS, the Virginia Department of Transportation (VDOT) is responsible for administering the regulations established to implement this law and will entertain requests for establishing the restrictions upon receipt of a formal request and resolution from the Board of Supervisors; and

WHEREAS, the Brandywine homeowners association and residents in Nelson Park, via petition, have requested that said restrictions be imposed on these roads; and

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WHEREAS, the Board perceives that a speeding problem exists based on enforcement records reported by the York County Sheriff's office and community support; and

WHEREAS, the Board has reviewed this request and believes that the designated roads meet the eligibility requirements prescribed by VDOT;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April 2000, that the Virginia Department of Transportation be, and it is hereby, requested to approve and install signs pursuant to Section 46.2-878.2 of the Code of Virginia, to designate the following roadways as streets on which a fine of \$200 in addition to other penalties prescribed by law may be imposed for violations of the posted speed limit:

1. Brandywine Drive (State Route 1550) from Dare Road (State Route 621) to its terminus
2. Brigade Drive (State Route 1553) from Brandywine Drive (State Route 1550) to Fielding Lewis Drive (State Route 1551)
3. Colonial Avenue (State Route 728) from Nelson Drive (State Route 727) to Hubbard Lane (State Route 716)
4. Dodge Drive (State Route 725) from Penniman Road (State Route 641) to Semple Road (State Route 726)
5. Edale Avenue (State Route 731) from Hubbard Lane (State Route 716) to Nelson Drive (State Route 727)
6. Fielding Lewis Drive (State Route 1551) from Brandywine Drive (State Route 1550) to its terminus
7. Nelson Drive (State Route 727) from Colonial Avenue (State Route 728) to its terminus
8. West Semple Road (State Route 726) from Colonial Avenue (State Route 728) to Semple Road (State Route 726)
9. Whispering Pine Drive (State Route 1554) from Old Lakeside Drive (State Route 792) to its terminus

BE IT FURTHER RESOLVED that the County Administrator is requested to forward a copy of this resolution and any necessary supporting documentation to the Virginia Department of Transportation for its review and approval.

Item No. 9. PURCHASE AUTHORIZAITON: Proposed Resolution R00-54. (Removed from the Consent Calendar)

Mr. Burgett asked if County retirees were on the dental plan.

Mr. Stuck stated the retirees had access to the dental plan.

A brief discussion followed concerning the dental plan benefits for retirees.

Mr. Burgett then moved the adoption of proposed Resolution R00-54 that reads:

A RESOLUTION TO AUTHORIZE PROCUREMENT OF DENTAL
HEALTH PLAN ADMINISTRATIVE SERVICES FOR COUNTY
EMPLOYEES

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

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WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, that it involves the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of April, 2000, that the County Administrator be, and hereby is, authorized to conclude procurement arrangements for the following:

	<u>AMOUNT</u>
Dental Health Plan Administrative Services	\$150,000

On roll call the vote was:

Yea: (5) Wiggins, Burgett, Rapp, Noll, Zaremba
Nay: (0)

Meeting Adjourned. At 10:05 p.m. Chairman Zaremba declared the meeting adjourned to 6:30 p.m., Tuesday, April 25, 2000, in the East Room, York Hall, for the purpose of conducting a work session.

Daniel M. Stuck, Clerk
York County Board of Supervisors

Walter C. Zaremba, Chairman
York County Board of Supervisors